

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1665 of 2016

J.Margaret

... Petitioner

Vs

The State rep. By

1. The Commissioner of Police,  
Vepery,  
Chennai-7.

2. The Inspector of Police,  
M-1, Madhavaram Police Station,  
Thiruvallur District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation in Cr.No.1413 of 2015 from the file of the second respondent to any other agency and take appropriate action against the accused persons in accordance with law.

For Petitioner : Ms.E.Ezhil Caroline

For Respondents : Mr.C.Emalias,  
Additional Public Prosecutor.

O R D E R

This petition has been filed to transfer the investigation in Cr.No.1413 of 2015 from the file of the second respondent to any other agency and take appropriate action against the accused persons in accordance with law.

2. The petitioner's son Mr.Ruman David Raj @ Thavidhu is an alcoholic. He was admitted in a De-Addiiction Centre situated at No.24, Secretariat Colony, Rettery, Kolathur, Chennai - 600 099. The said institution is run by one D.A.Tamilvendan. The petitioner's son was admitted in the said Centre on 02.08.2015. On 03.08.2015, he received a phone call from the said Centre stating that her son was taken to Stanley medical College Hospital for treatment. To her shock and surprise, she found that her son was declared dead. There were injuries found on the

body of the deceased Mr.Ruman David Raj @ Thavidhu. Hence, a complaint was lodged with the second respondent for the alleged offence under section 174 Cr.P.C. and the same was registered in Cr.No.1413 of 2015. On enquiry, it came to know that on the instructions of the Managing Director, Mr.D.A.Tamilvendan, the employees of the said De-Addiction Centre, had severely beaten the deceased as he had demanded alcohol. Without doing proper treatment, the said De-Addiction Centre is doing illegal activities in the name of treatment. The said fact was brought to the notice of the second respondent, but the Investigation Officer is not conducting proper investigation. Hence, the petitioner made a representation to the first respondent with respect to the lacuna in the investigation done by the second respondent, but nothing happened in spite of the said representation. Hence, she has come forward with the present petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Learned Additional Public prosecutor submitted that investigation is in progress and they would complete the investigation and file a final report very shortly. Thus, he opposed the transfer of investigation.

5. Considering the facts and circumstances of the case, this Court finds that there is absolutely no valid ground to transfer the investigation. Hence, this Court is not inclined to entertain this petition. Therefore, the criminal original petition is dismissed. However, the respondent police is directed to expedite the investigation and file a final report as early as possible.

Sd/-  
Asst.Registrar (CS V )

/true copy/

Sub Asst. Registrar

vsi

To

1. The Commissioner of Police,  
Vepery, Chennai-7.

2. The Inspector of Police,  
M-1, Madhavaram Police Station,  
Thiruvallur District.

3.The Public Prosecutor, High Court, Madras.

1 cc to Mr.E. Ezhil Caroline, Advocxate, Sr. 4903

Cr1. O.P.No.1665 of 2016

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